

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

<b>UNITED STATES OF AMERICA</b>	)	Criminal No. 1:21-CR-393 (TJM)
	)	
<b>v.</b>	)	
	)	
<b>CHRISTOPHER PENCE,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

The Court incorporates into this Order the stipulated facts set forth above and hereby adopts them as findings.

1. The Court has considered its obligation under 18 U.S.C. § 3161(h)(7)(A) to determine whether a continuance serves the ends of justice in a manner that outweighs both the public interest and the defendant's rights. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial because additional time is required for defense counsel to file motions, and for the parties to negotiate a potential disposition of the charges, and/or prepare for trial, which will allow the parties the reasonable time necessary for effective preparation, taking into account the exercise of due diligence (18 U.S.C. § 3161(B)(iv)).

**BASED ON THE STIPULATED FACTS AND THE COURT'S RELATED FINDINGS IT IS HEREBY ORDERED:**

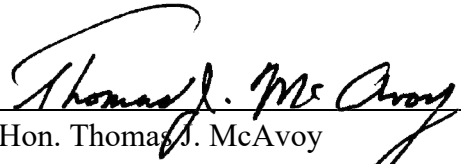
A period of 60 days, beginning on and including the date of this Order shall be excludable in computing time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) in order to give the parties the reasonable time necessary for effective preparation.

Any pretrial motions in this case shall be filed on or before \_\_\_\_\_ and shall be made returnable on \_\_\_\_\_.

The trial in this matter shall begin on 1/9/2023 at 10:00 am before Senior United States District Judge Thomas J. McAvoy in Albany, New York or, in the alternative, a change of plea shall be entered on or before 12/15/2023.

IT IS SO ORDERED.

Dated and entered this 28th day of November, 2022.

  
\_\_\_\_\_  
Hon. Thomas J. McAvoy  
Senior United States District Judge